

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAMES H MCCLENTON,

Plaintiff,

VS.

TDCJ LAW ENFORCEMENT,

Defendant.

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CIVIL ACTION NO. C-10-30

OPINION AND ORDER OF DISMISSAL

Plaintiff, an inmate at TDCJ-CID's McConnell Unit in Beeville, Texas, filed this lawsuit on January 25, 2010 (D.E. 1). He filed an application for leave to proceed *in forma pauperis* (D.E. 3), but he failed to include a copy of his six-month inmate trust account statement. Plaintiff was mailed a notice on January 27, requesting that he submit a copy of the inmate trust fund within thirty days (D.E. 4). He failed to comply.

On March 9, 2010, an order to show cause was issued, requiring plaintiff to show cause why his complaint should not be dismissed for failure to comply (D.E. 10). Plaintiff was given another thirty days to comply (D.E. 10). He failed to do so, even after being reminded yet again in the order denying his motion for subpoena (D.E. 15). Plaintiff was advised that his failure to comply would result in the dismissal of his lawsuit (D.E. 10). Plaintiff appears to have abandoned any interest he had in pursuing the claims in his complaint.

Accordingly, plaintiff's complaint is dismissed without prejudice for failure to prosecute. FED. R. CIV. P. 41.

ORDERED this 16th day of April, 2010.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE